

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BERHANU G. KELBESSA,

Plaintiff,

v.

CITY OF SEATTLE, *et al.*,

Defendants.

Case No. C17-323-RAJ

ORDER

In response to the May 4, 2017, referral notice (Dkt. # 27) from the Ninth Circuit Court of Appeals in the above-captioned case, which has been assigned Appeal Number 17-35369, the Court certifies in accordance with 28 U.S.C. § 1915(a)(3) and *Hooker v. Am. Airlines*, 302 F.3d 1091 (9th Cir. 2002) that Plaintiff's appeal in this case is frivolous. Having reviewed the notice of appeal and the record, the Court finds no non-frivolous basis for appeal. The Court accordingly **REVOKES** Plaintiff's *in forma pauperis* status on appeal. The Court directs the clerk to ensure that the parties and the Clerk of the Ninth Circuit Court of Appeals receive a copy of this order.

DATED this 10th day of May, 2017.



The Honorable Richard A. Jones  
United States District Judge